



CP1205

Case No. 900-9523/CONT²/DIV²/CONT

#8
JRP
1/16/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Maximilian Grassberger, et al. :
Serial No. 08/471,146 : Art Unit: 1205
Filed: June 6, 1995 : Examiner: J. Goldberg
For: NEW USE OF 11,28-DIOXA-4- :
AZATRICYCLO[22.3.1.0^{4,9}] :
OCTACOS-18-ENE DERIVATIVES :
AND PHARMACEUTICAL COMPO- :
SITIONS CONTAINING THEM :

260 NJ 19-0134 01/13/97 08471146
300.00CH
26050 119

JAN 15 1997
GROUP 1500

NOTICE OF APPEAL FROM THE EXAMINER

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated July 23, 1996 finally rejecting Claims 13-26.


The items checked below are applicable:

1. (X) Notice of Appeal Fee \$300 (37 CFR 1.17(e))
() Said Notice of Appeal fee is enclosed.
(X) Please charge said Notice of Appeal fee to Deposit Account No. 19-0134 in the name of Sandoz Corporation.
() A Notice of Appeal fee is not required because a fee was paid for a prior appeal that did not result in a decision of the Board of Patent Appeals and Interferences.
2. () Since this Notice of Appeal is being filed within the three month period for filing a response to the aforementioned decision of the Examiner or within a previously requested extended period for filing a response to

said decision, no extension of time is required for filing of this Notice of Appeal. However, if this is incorrect and an extension of time is needed, please treat this as a request for the shortest extension of time necessary for this Notice of Appeal to be timely filed (taking into consideration its Certificate of Mailing, if any) and charge the required fee to Deposit Account No. 19-0134 in the name of Sandoz Corporation.

3. (X) It is respectfully requested that the period for responding to the Final Rejection be extended to December 23, 1996 i.e. to five months from the date of the Final Rejection. The total required extension of time fee is \$390.00 (37 CFR 1.17).
4. (X) Since no extension of time fee was previously paid or an extension of time fee of \$390.00 was paid on or about December 20, 1996, the extension of time fee due with this Notice of Appeal is \$0.
- () Said extension of time fee is enclosed.
- () Please charge said extension of time fee to Deposit Account No. 19-0134 in the name of Sandoz Corporation.
5. (X) Two copies of this paper are appended.

Respectfully submitted,

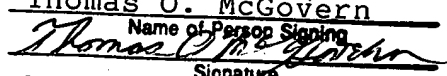

Thomas O. McGovern
Registration No. 25,741
(201) 503-8480

TOM:lmc

SANDOZ CORPORATION
59 Route 10
E. Hanover, N.J. 07936

December 20, 1996

Encs. Two additional copies of this Notice of Appeal;
COM Stamp; Postcard

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 20, 1996
(Date of Deposit)
Thomas O. McGovern
Name of Person Signing

Signature
December 20, 1996
Date of Signature